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FACSIMILE TRANSMISSION COVER SHEET

TO: **ATTN: Amy E. Pulliam**

FACSIMILE NUMBER: (703) 305-3592

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COMMENTS:

Attachment is as follows:

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|----|------------------------|-----------------------------|
| 1. | RCE Transmittal | (1 page & 2 copies of same) |
| 2. | Fee Transmittal Letter | (1 page & 2 copies of same) |
| 3. | Amendment & Response | (7 pages) |

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL <small>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1998 (AIPA).</small>	Application Number	09/868,991
	Filing Date	07/26/2001
	First Named Inventor	McGee et al
	Group Art Unit	1615
	Examiner Name	A.E. Pulliam
	Attorney Docket Number	JAB 1461

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (f) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1293 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. ☐ Other

b. ☒ Enclosed

i. ☒ Amendment & Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS), PTO 1449 with references & MPEP 609 D with Search Report

iv. ☒ Other: Fee transmittal Letter

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other

3. Fees - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0750/JAB-1461/MBZ. Three copies of this form are enclosed.



i. ☒ RCE fee is required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of Time (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (print/type)	Matthew B. Zisk	Registration No.	45,257
Signature		Date	10/28/2003
CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. 703-305-3592			
Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/28/2003			
Name (print/type)	Matthew B. Zisk	Reg. No. 45,257	Date 10/28/2003
Signature			

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